

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

WILLIAM D. OWEN,)	
)	
Plaintiff,)	
)	
v.)	No.: 3:09-CV-369
)	(VARLAN/SHIRLEY)
MICHAEL J. ASTRUE,)	
Commissioner of Social Security,)	
)	
Defendant.)	

ORDER

This Social Security appeal is before the Court on the Report and Recommendation filed by United States Magistrate Judge C. Clifford Shirley, Jr. on July 2, 2010 [Doc. 22]. There have been no timely objections to the Report and Recommendation, and enough time has passed since the filing of the Report and Recommendation to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). In the Report and Recommendation, Magistrate Judge Shirley recommended that defendant Commissioner's motion for summary judgment [Doc. 20] be granted, and that plaintiff's motion for judgment on the pleadings [Doc. 13] be denied.

The Court has carefully reviewed this matter, including the underlying pleadings. The Court is in agreement with Judge Shirley's recommendation, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the Report and Recommendation [Doc. 22]. Additionally, it is **ORDERED** that the Commissioner's motion

for summary judgment [Doc. 20] be **GRANTED**, and that plaintiff's motion for judgment on the pleadings [Doc. 13] be **DENIED**. Defendant Commissioner's decision in this case denying plaintiff's application for benefits is **AFFIRMED**. This case is **DISMISSED**. The Clerk is **DIRECTED** to close this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE